

From: [REDACTED]  
Subject: Shoshone NF travel management June 2016  
Date: June 28, 2016 at 5:35:57 PM MDT  
To: travel\_management\_comments@fs.fed.us

This letter concerns the Proposed Action of the Shoshone NF travel management Plan 2016.

I oppose any increase in motor vehicle access on the Shoshone NF.

There is no justifiable Purpose or Need for additional motor access on the single most essential block of public land in the Greater Yellowstone Ecosystem. The large roadless landscapes of this forest will be essential to maintaining the population viability of numerous wide-ranging species particularly top-level carnivores in the coming decades or centuries of global climate change.

The single most important habitat type on the Shoshone NF for the greatest variety of biota is relatively large, deciduous, ROADLESS riparian valleys. Both Elk Fork and Sweetwater Valleys fall into this category. Gravel-bed stream floodplains in mountain landscapes disproportionately concentrate diverse habitats, nutrient cycling, productivity of biota, and species interactions. Gravel-bed floodplains are the primary arena where interactions take place among aquatic, avian, and terrestrial species from microbes to GRIZZLY BEARS and provide essential connectivity as corridors for movement for both aquatic and terrestrial species. Roading such valleys have severe impacts to floodplain habitat diversity and productivity, restricts local and regional connectivity and reduces the resilience of both aquatic and terrestrial species including adaptation to global climate change. Roads in erosive valley landscapes produce tremendous sedimentation which is considered the most important factor limiting fish habitat and causing quality impairment. Conservation management in mountain landscapes intended to benefit the widest variety of organisms needs to have gravel-bed streams and their riparian valleys as the central focus and prioritize the functions and processes of these critically important ecosystems throughout their length and breath.

There is no Purpose or Need for either the Elk Fork or Sweetwater Valley roads since they are both superfluous "Roads to Nowhere". The proposed later opening dates for these valleys for access to mechanized vehicle abuse is a timid step in the right direction but it in no way will stop the ongoing and future mechanized vehicle abuse.

Massive amounts of sedimentation will continue to pour out of Sweetwater Valley under the FS Proposed Action and devastating ecological damage to priceless riparian resources will continue in Elk Fork Valley since most of

that "road" is directly in the riparian habitat itself. Motor vehicles are already free wheeling across the riparian habitat of Elk Fork and under the FS Proposed Action they will continue to do so.

My alternative to the FS Proposed Action for Sweetwater Valley is to close the road to mechanized vehicles at the the North Fork bridge.

My alternative to the FS Proposed Action for Elk Fork is to close the road to mechanized vehicles at the existing horse corrals just above the Elk Fork campground. Closing these "roads" is the only way to meet the November 2010 memo from the Chief to manage for an ecologically and fiscally sustainable minimum road system on National Forest lands.

I appreciate this opportunity to comment.

Chuck Neal

  
Ecologist (retired USDI)



From: Charles R. Neal [REDACTED]  
Subject: **Riparian Area Abuses on Shoshone National Forest Wyoming**  
Date: May 13, 2013 5:24:25 PM MDT  
To: ttidwell@fs.fed.us  
Cc: djiron@fs.fed.us  
▶ 7 Attachments, 223 KB

Dear Chief Tidwell,

I am writing to you concerning the long on-going abuses of riparian and wetland areas on the Shoshone National Forest in N.W. Wyoming. The Shoshone NF is the lynchpin of the National Forests surrounding the Yellowstone National Park. It is no exaggeration to say the Shoshone NF is the key to maintaining viable, self-sustaining populations of top level carnivores (keystone species) throughout the Greater Yellowstone Ecosystem.

In light of my repeated failures to impress upon management of the Shoshone NF of the disproportional ecological importance of riparian and wetland areas on the forest (indeed, the present supervisor has even told me, in writing, that he disagrees with me entirely that they have any disproportional ecological value in highly dissected, mountainous landscapes over surrounding uplands- email comm. 5 Nov. 2012), I have concluded that this current management will not listen to anyone outside the Service.

I feel that it is imperative that you, The Chief, remind them of the legal mandates of the federal laws, statues, and executive orders pertinent to the forest system of which I am sure you are aware:

EXECUTIVE ORDER 1977 Flood Plain Management 11988

EXECUTIVE ORDER 1977 Wetlands Protection 11990

These executive orders were deliberately made very strong in order to avoid the temptations at the local field levels to use such areas as sacrifice zones which is precisely what is happening on the Shoshone NF. Rather than attempt to quote the entire executive orders, I will quote a brief section from Executive Order 11990:

"Each agency shall PROVIDE LEADERSHIP (emphasis added) and SHALL TAKE ACTION TO MINIMIZE (emphasis added) the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands in carrying out the agency's responsibilities....for conducting Federal activities and programs affecting land use, including but not limited to water and related land resources planning, regulating, and licensing activities."

Or from Executive Order 11988 "Each agency shall PROVIDE LEADERSHIP and SHALL TAKE ACTION..... to RESTORE and PRESERVE the natural and beneficial values served by floodplains in carrying out its responsibilities....."

## THE PUBLIC TRUST DOCTRINE

Management of our Public Lands, for our fish and wildlife natural resources, is supposed to be entirely governed by our Public Trust Doctrine. As you know, the Public Trust Doctrine is older than our Nation and should be considered SACRED as it is the only obstacle standing in the way of probable total desecration of our Public Lands by the greediest motivated ones among us, who profit from the use of our publicly owned natural resources. Any specific management actions by USFS that needlessly degrade fish and wildlife habitat or their use of it represent direct violations and betrayals of the Public Trust by our public servants and agencies.

## FOREST SERVICE DIRECTIVES

In January 2001, the Forest Service finalized a plan that directed the agency to identify an ecologically and fiscally sustainable minimum road system. For the last 10 years the Service has, ostensibly, operated under this plan culminating in the memo of 10 November, 2010 from the Chief, to all line officers directing them to identify an ecologically and fiscally sustainable road system by 2015.

I realize you are aware of all of this, but all of your line officers do not seem to be aware of them.

### SWEETWATER VALLEY, SHOSHONE NATIONAL FOREST, WYOMING

This brings us to what is currently the most ecologically threatened tributary of the North Fork of the Shoshone River by the present management.

Sweetwater Creek has a potentially rich and diverse riparian plant community the length of the valley. It is surrounded by steep, drier, highly erosive uplands formed from andesitic volcanic ejecta. The entire corridor is of exceptional, even critically important value to the native wildlife species which includes grizzly bear, black bear, gray wolves, elk deer, moose, bighorn sheep, as well as numerous Neotropical migratory birds and smaller mammals.

There was a tourist lodge formally at the head of a 3-mile dirt road in the Valley. The lodge facility completely burned down in the Gun Barrel Fire of 2008. The road, which repeatedly intrudes into the riparian area, annually suffers moderate to severe erosion and has for years. It is now known as the "Road to Nowhere".

The Shoshone NF, for its part, annually attempts to repair the road in a desperate attempt to keep the "Road to Nowhere" open. As a result, the ecological damage has continued to worsen – even reaching the

point where the Forest punched a new road right up the creek bed itself in the summer of 2011 (A major cutthroat trout spawning stream).

This year, 2013, the Forest Supervisor has approved spending another eighty thousand dollars of PILT funds attempting to keep the road open at all costs. This road is a text book example of an ecologically and fiscally unsustainable road which is precisely what the national office of the Forest Service had in mind when they recommended eliminating such roads repeatedly over the last ten years. Even the present Forest Hydrologist as well as the recently retired District Ranger recognize the current road work will be promptly blown out again by the next big runoff event. Yet the Forest management insists on spending another eighty thousand dollars of PILT funds at a time of budget austerity.

I therefore respectfully urge you to try your hand at educating the Shoshone NF management of their legal land stewardship responsibilities before any more money is wasted or more watershed and ecological damage is done.

I look forward to and will appreciate a prompt reply concerning these on going egregious ecological abuses.

Sincerely,

Chuck Neal

Ecologist (retired) USDI

Author: GRIZZLIES IN THE MIST





RIPARIAN AREA ABUSES - SWEETWATER VALLEY, SHOSHONE NATIONAL FOREST, WYOMING



Early November 2012 Ruts in Sweetwater riparian area



Sept 2012 Eroding stream banks Sweetwater riparian



Sept 2012 Eroding road bank Sweetwater Valley



October 2011 Sweetwater Valley riparian vehicle intrusion degrading water and fisheries habitat



Sept 2012 Willow growth ( what Sweetwater could be but is constantly being degrading by vehicle abuse)



20 November 2012 Truck ruts in Sweetwater Riparian



May 2013 Road below stream flow at LOW FLOW!



From: "Charles R. Neal" [REDACTED]  
Subject: **Riparian abuse on Shoshone National Forest, Wyoming**  
Date: June 8, 2013 8:22:36 PM MDT  
To: ttidwell@fs.fed.us  
Cc: djiron@fs.fed.us, jabuchanan@fs.fed.us, wyoming@westernwatersheds.org, FN-CEQ-OpenGov@ceq.eop.gov  
▶ 4 Attachments, 443 KB

Dear Chief Tidwell,

This is a follow-up letter to the one that I wrote to you concerning riparian abuse by motor vehicles on the Shoshone National Forest in Wyoming on 10 May 2013.

I received an embarrassingly inadequate letter ostensibly written by the R-2 Regional Forester (in reality written by the Shoshone NF staff naturally justifying their mismanagement) in reply dated 28 May 2013. This letter did not address my concerns at all, just a general complaint implying that there is too much wilderness in the area and not enough roads. This is exactly what one would expect if my letter is bounced back to the misbehaving Forest in question.

Executive Orders have the FORCE and EFFECT of LAW and MUST be obeyed by all federal agencies. Their implementation is NOT optional. The national office of the Forest Service MUST ensure that these Executive Orders are implemented. They can NOT be bounced back to the offending forests for them to decide if they really want to enforce these Orders or (in the case of the Shoshone) merely to ignore them. To not enforce these Executive Orders is to expose the agency to legal challenge.

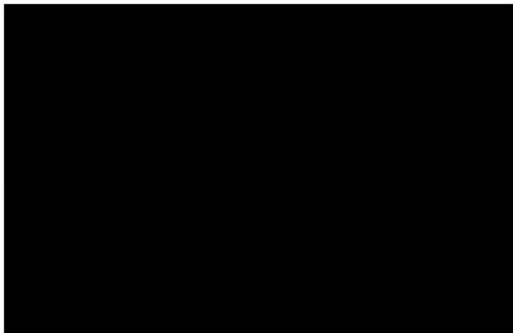
To illustrate that the Sweetwater Valley riparian abuse is not an isolated example, I am sending along four photos dramatically showing the degradation taking place in an adjacent riparian area, Elk Fork, also a tributary to the North Fork of the Shoshone River.

In the USFWS classification of Wetlands and Deepwater Habitats of the United States, December 1979, these riparian valleys fall into the Hierarchical category of Palustrine System, Scrub-Shrub Wetlands and Broad-leaved Deciduous.

I look forward to receiving a letter from your office in the near future informing me that you have taken the necessary steps to ensure that current Shoshone NF management will fully adhere to the letter and the spirit of Executive Orders 11988 and 11990 both dated 1977. as well as Forest Service directives to maintain only ecologically and fiscally sustainable road systems, as well as adhering to the Public Trust Doctrine. These were all outlined in my letter to you dated 10 May 2013.

Sincerely,

Chuck Neal, Ecologist (ret.)



May 2011 Elk Fork



May 2011 Elk Fork



5 December 2012



5 December 2012